

# OLA QUARTERLY

Official Newsletter of the  
Office of Language Access, State of Hawai'i  
*'O ka 'ōlelo ke ola - Language is Life*  
*Summer /Fall 2013 Edition*



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## **ACT 217— HB266** **signed by Governor June 27** **Creates a Language Access Resource Center** **& Multilingual Website Pilot Project**



Governor Neil Abercrombie signed HB266 into law (Act 217) last June 27, 2013 as members of the State Legislature looked on. The law establishes the Language Access Resource Center and puts up a multilingual website pilot project within the Office of Language Access. It appropriates \$250,000 for each of fiscal years 2013-2014 and 2014-2015 to fund the program.

The Language Access Resource Center will create a roster of interpreters in the State, help establish a pool of qualified interpreters, provide interpreter training opportunities, train agencies in the use of interpreters, and look into the establishment of a state certification process for interpreters. The multilingual website aims at providing the LEP community with an additional means to access state programs and services.





## MESSAGE FROM THE EXECUTIVE DIRECTOR

*Jun Colmenares*

Aloha. The bill creating the Language Access Resource Center and establishing a multilingual website was signed into law (Act 217) by Governor Neil Abercrombie last June 27, 2013. It marked the culmination of several months of discussions with the community as well as dialogue with legislators. While the law provided less than half of the requested funding, it is a good start for a project that is much needed. Mahalo to all who supported the bill.

Congratulations and welcome to Rebeca Zamora, a Spanish interpreter who was appointed by the governor as a member of the Language Access Advisory Council. She replaces Alohalani Boido. We thank Alohalani for her services and for the many contributions she has given to the Council, and we look forward to working with Rebeca.

The 6th Annual Conference on Language Access was a tremendous success. Feedback has been very positive and people are now looking forward to next year's conference.

On September 16-20, 2013, OLA partnered with the Office for Civil Rights, DHHS Region IX, in a statewide outreach project on language access. Thanks to our neighbor island council members for facilitating the meetings.

Congratulations to OLA Senior Legal Analyst, Rebecca Gardner, who gave birth to a healthy daughter last July 8, 2013.

Finally, I feel honored and humbled to receive the 2013 William J. Harris Equal Opportunity Award given by the National Association of State Workforce Agencies (NASWA) during its 77th Annual National Conference in Denver, Colorado on September 16-20, 2013. I accept it in behalf of the OLA, the Council, and the State of Hawaii.



*Governor Neil Abercrombie poses with OLA Executive Director Jun Colmenares and Rep. Henry Aquino (the bill's author) after signing HB266 into law.*



## 6th ANNUAL HAWAII CONFERENCE ON LANGUAGE ACCESS A HUGE SUCCESS



The 6th Annual Hawaii Conference on Language Access, held last August 7-8, 2013 at the East-West Center in Honolulu, was a big success. With the theme "Ola Pono: Language Access in the Community Health Setting," the conference attracted more than 250 participants from state agencies, health care organizations, non-profits, community organizations, businesses, the academe, students, interpreters and other language service providers. Participants from the neighbor islands,

as well as from mainland USA, also came. There were 40 speakers and panelists coming from the mainland United States, Canada and Hawaii.

A preliminary review of the conference evaluation sheets indicates that most attendees rated the conference "excellent" or "very good." People found the array of mainland and local speakers as of very high quality and that they were able to learn a lot of things that they can apply to their work.

One attendee commented: "Thank you so much for doing this. It was fantastic!" Another mentioned that there was "excellent variety showing professionalism of the field, and the passion everyone has for language access. Very encouraging!" And one more wrote: "Very thoughtful topics. Looking forward to more next year." A participant from the mainland suggested that the conference should be made national.

Plans are already afoot for next year's conference which will be held again on the first week of August. The conference committee has already met to evaluate the conference and do preliminary work for next year's edition.



**NEWS ABOUT THE LANGUAGE ACCESS ADVISORY COUNCIL**

**Mahalo and Aloha to**  
***M. Alohalani Boido***  
**For her service of six years**  
**on the Language Access Advisory Council**

Alohalani has been a valuable member of the Council and has contributed a lot of ideas from the perspectives of a professional interpreter, a researcher and a language access advocate. We wish her all the best in her future undertakings. Muchas gracias!

**And**

**Welcome and Aloha to**  
***Rebeca Zamora***



**New member of the Language Access Advisory Council**  
**representing a professional interpreter organization**

Rebeca was born and raised in Costa Rica and is a registered Spanish court interpreter. She has been a member of the Hawaii Interpreter Action Network since 2009. Currently, she works for the Hawaii Immigrant Justice Center as a community consultant in the Hispanic Family Violence Awareness Project, and with Lionbridge Technologies interpreting at individual hearings for the Executive Office for Immigration Review. Bienvenido!

**OLA's 6th Annual Conference on Language Access**  
**Ola Pono: Language Access in the**  
**Community Health Setting**

Now available online at 'Olelo Community Mediz's Video-on-demand website:

Language Access Conference: Ep—32 6th Annual Hawaii Conference on Language Access P1

[http://olelo.granicus.com/MediaPlayer.php?view\\_id+30&clip\\_id+36346](http://olelo.granicus.com/MediaPlayer.php?view_id+30&clip_id+36346)



## NEWS FROM OLA

### OLA EXECUTIVE DIRECTOR RECEIVES NATIONAL AWARD



OLA Executive Director Jun Colmenares receiving the 2013 William J. Harris Equal Opportunity Award from NASWA President Mark Henry on September 19, 2013 during NASWA's 77th Annual National Conference in Denver, Colorado. The plaque cites that the award is given "for achieving a national standard of excellence in the development and implementation of an effective Equal Opportunity program in Hawaii."

OLA Executive Director Serafin "Jun" Colmenares recently received the 2013 William J. Harris Equal Opportunity Award in Denver, Colorado. The annual award is given by the National Association of State Workforce Agencies (NASWA) during its annual national conference "to recognize excellence in the field of equal opportunity."

Jun Colmenares was nominated (without his knowledge) by DLIR Equal Opportunity Officer Pamela Martin and was selected from among nominees submitted nationwide. The award was based on work done by the Office of Language Access while it was still under the Department of Labor and Industrial Relations. Colmenares flew to Denver on September 19, 2013 to receive the award.

"I feel honored and humbled by this award. It was so unexpected," Colmenares said. "I do not know if I deserve it, but it certainly inspires me to continue what my office and I are doing to promote language access in Hawaii and ensure that state agencies provide, and our limited English proficient population receive, meaningful and equal access to government services, programs and activities," he continued. "I am happy that NASWA is recognizing the small steps that we are doing in Hawaii....This award is not just for myself—it is for all of us, for the office, for the State and the people of Hawaii," he concluded.

### COLMENARES AND OHTA GIVE PRESENTATIONS TO UH SURGERY STUDENTS

OLA Executive Director Jun Colmenares and LAAC Vice Chair Gerald Ohta gave presentations to University of Hawaii Department of Surgery students during their grand rounds at the Queen's Medical Center on September 25, 2013.

Colmenares talked about Hawaii's language access law while Ohta discussed the newly released enhanced Culturally and Linguistically Appropriate Services standards.

A total of 35 students and faculty attended the presentation which was organized by Dr. Maria Chun of the UH Department of Surgery. The presentation is part of the department's requirement for cultural sensitivity training for its students.

## NEWS FROM OLA

### LANGUAGE ACCESS COMMUNITY FORUMS HELD STATEWIDE

Several community forums or discussions (Kūkākūkā in Hawaiian) on language access were recently held on all the major islands of Hawaii. The forums were a joint outreach project of the Office of Language Access, State of Hawaii, and the Office for Civil Rights, Region IX, of the U.S. Department of Health and Human Services. The purpose of the forums was two-fold: to provide information to agencies about what the Office for Civil Rights and the Office of Language Access are doing, and to listen to the agencies and the community about the issues and challenges they face in their implementation of federal and state language access requirements.



Michael Leoz,, regional manager of OCR, Region IX, presenting at the community forum in Hilo, Big Island.

The forums were held in Hilo, Big Island on September 16; in Kona, Big Island on September 17; in Wailuku, Maui on September 18; in Honolulu, Oahu on September 19; and in Lihue, Kauai on September 20, 2013. Michael Leoz, regional manager of the Office for Civil Rights of Region IX, U.S. DHHS, OLA executive director Jun Colmenares, and Gerald Ohta of Hawaii DOH were the panelists, except in Honolulu where Dominic Inocelda, chair of the Language Access Advisory Council, took the OLA director's place on account of the latter's trip to Denver, Colorado.



OLA executive director Jun Colmenares giving his talk at the community forum in Lihue, Kauai.

Attendance was as expected on the neighbor islands, but was rather low in Honolulu where most of the DHHS- and state-funded agencies are located. In terms of the discussions, however, the forums were very fruitful. There were clarifications about the law, concerns about compliance, and issues raised about implementation of the law given the challenge of resources. There was a productive sharing of experiences and information between agencies which augurs well for future collaborative efforts. The agencies, particularly on the neighbor islands, were appreciative of the gesture by the federal government to come and listen to the

community, and expressed the hope that it will be continued in the future. OLA and OCR, Region IX, are definitely looking forward to doing the outreach again.



# KŪKĀKŪKĀ Community Forums on Language Access



A joint outreach project of the  
Office of Language Access, State of Hawai'i  
and the Office for Civil Rights, Region IX,  
U.S. Department of Health and Human Services.



## Panelists:

**Michael Leoz, J.D.,**  
*Regional Manager,*  
*Office for Civil Rights,*  
*Region IX, U.S.*  
*Department of Health*  
*and Human Services*

**Serafin Colmenares**  
**Jr., PhD, Executive**  
**Director, Office of**  
**Language Access,**  
**State of Hawai'i**

**Gerald Ohta, MPH,**  
**Affirmative Action**  
**Officer, Department**  
**of Health, State of**  
**Hawai'i**

*Monday, September 16, 2013, 8:30 a.m. to 2:00 p.m.*

*Aupuni Center Conference Room*  
*101 Pauahi Street, Hilo, Hawai'i*

*Tuesday, September 17, 2013, 8:30 a.m. to 2:00 p.m.*

*Council Chambers, Bldg. A, West Hawai'i Civic Center*  
*74-5044 Keohokalole Highway, Kailua-Kona, Hawai'i*

*Wednesday, September 18, 2013, 8:30 a.m. to 2:00 p.m.*

*Classroom 1, Maui Economic Opportunity,*  
*Cameron Center, Wailuku, Maui, Hawai'i*

*Thursday, September 19, 2013, 8:30 a.m. to 2:00 p.m.*

*State Capitol Auditorium, Honolulu, Hawai'i*

*Friday, September 20, 2013, 8:30 a.m. to 2:00 p.m.*

*Conference Rooms A&B*  
*County of Kauai Piikoi Building, Lihue, Kauai, Hawai'i*

*Note: Lunch not included.*

All agencies (state, county and non-profit) who are recipients of federal funding from the U.S. Department of Health and Human Services and of state funding from the State of Hawai'i are invited to participate in these discussions.

*If you need an ASL interpreter, materials in an alternate format, or other auxiliary aid support, please contact the Office of Language Access at 808-586-8730 or email at [ola@doh.hawaii.gov](mailto:ola@doh.hawaii.gov) at least seven (7) working days before the event.*

## National Standards for Culturally and Linguistically Appropriate Services (CLAS) in Health and Health Care

*The National CLAS Standards are intended to advance health equity, improve quality, and help eliminate health care disparities by establishing a blueprint for health and health care organizations to:*

### Principal Standard:

1. Provide effective, equitable, understandable, and respectful quality care and services that are responsive to diverse cultural health beliefs and practices, preferred languages, health literacy, and other communication needs.

### Governance, Leadership, and Workforce:

2. Advance and sustain organizational governance and leadership that promotes CLAS and health equity through policy, practices, and allocated resources.
3. Recruit, promote, and support a culturally and linguistically diverse governance, leadership, and workforce that are responsive to the population in the service area.
4. Educate and train governance, leadership, and workforce in culturally and linguistically appropriate policies and practices on an ongoing basis.

### Communication and Language Assistance:

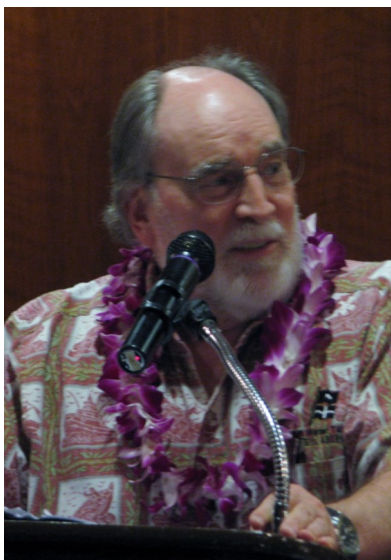
5. Offer language assistance to individuals who have limited English proficiency and/or other communication needs, at no cost to them, to facilitate timely access to all health care and services.
6. Inform all individuals of the availability of language assistance services clearly and in their preferred language, verbally and in writing.
7. Ensure the competence of individuals providing language assistance, recognizing that the use of untrained individuals and/or minors as interpreters should be avoided.
8. Provide easy-to-understand print and multimedia materials and signage in the languages commonly used by the populations in the service area.

### Engagement, Continuous Improvement, and Accountability:

9. Establish culturally and linguistically appropriate goals, policies, and management accountability, and infuse them throughout the organization's planning and operations.
10. Conduct ongoing assessments of the organization's CLAS-related activities and integrate CLAS-related measures into measurement and continuous quality improvement activities.
11. Collect and maintain accurate and reliable demographic data to monitor and evaluate the impact of CLAS on health equity and outcomes and to inform service delivery.
12. Conduct regular assessments of community health assets and needs and use the results to plan and implement services that respond to the cultural and linguistic diversity of populations in the service area.
13. Partner with the community to design, implement, and evaluate policies, practices, and services to ensure cultural and linguistic appropriateness.
14. Create conflict and grievance resolution processes that are culturally and linguistically appropriate to identify, prevent, and resolve conflicts or complaints.
15. Communicate the organization's progress in implementing and sustaining CLAS to all stakeholders, constituents, and the general public.



## 6th ANNUAL HAWAII CONFERENCE ON LANGUAGE ACCESS PHOTOS





# 6th ANNUAL HAWAII CONFERENCE ON LANGUAGE ACCESS PHOTOS





## MORE PHOTOS ON OLA ACTIVITIES/CONFERENCE



Jun Colmenares and Gerald Ohta presenting at the UH Surgery Grand Rounds at Queen's Medical Center on September 25, 2013.





**NEWS FROM OLA****Brief Comment on the Passage of HB266 (Act 217)**

By: Dominic Inocelda

Chair of the Office of Language Access Advisory Council

With the legislative passage and hopeful signing by Gov. Abercrombie of HB 266, Hawaii will step forward to another key milestone towards greater accessible communication for limited and non-English speakers. The demand for language assistance has always been needed in Hawaii as Hawaii's foreign born mainly from the Pacific Islands, Pacific Rim countries and Asia continue to grow. For many of Hawaii's newcomers, English remains a daunting task to learn while at the same time adjusting and struggling to survive in Hawaii.



HB 266 creates a language resource center and provides for the development of a computer web-site that promotes language access. Although, demand for language assistance through language interpreters and written translators has and continues to grow, accessibility and use of language services has been difficult to navigate. Questions such as where can I get interpreters, what is the cost, how do we know that we are receiving quality services, is the interpreter knowledgeable about confidentiality and will they maintain confidence within the ethnic community, is the interpreter communicating what I am saying or is the interpreter creating his/her own meaning based on their personal perspectives? I am sure that many of us who have utilized language interpreters and written translators wonder if what is communicated really is what we wanted to convey. HB 266 is a solid start in moving all of us towards improved and expanding interpreter/translator resources. It also fosters the development of better trained and qualified interpreters and the training of service providers to interface more effectively with interpreters/translators. Most of all, limited and non-English speakers will have a much better opportunity to communicate and be understood by the public and private service providers that are tasked with the provision of services and programs for all members of our community.

HB 266 is a part of a beginning that has the potential to create employment in the language interpreter and written translation field. Language access compliance requirements in Federal and State contracts and grants are making funds more available for this continuing development. And as Hawaii businesses feel the direct impact for business from consumers who are limited and/or non-English speaking, the need for skilled interpreters and written translators will continue to grow and hopefully become business opportunities for Hawaii's bilingual workforce.

Therefore, the demand for language access services and the availability of quality services is slowly but surely becoming a reality in Hawaii. Who knows, Hawaii may become a model for building and developing a strong and vibrant system of public and private entities that offers employment opportunities for skilled interpreters and written translators on an international scale.

In the future it is hoped that we will be able to look back and say HB266 and the Office of Language Access were key milestones for meeting language access needs for all people in Hawaii, the Pacific Basin, and Asia.



## NEWS FROM ALL OVER

### DOJ Says AOC Skimps on Interpreters

By Cheryl Miller

The Recorder, June 6, 2013

California's courts are not consistently providing adequate interpreting services for non-English-speaking litigants, an investigation by the U.S. Department of Justice's Civil Rights Division has concluded.

In a letter to state judicial leaders, Deeana Jang, chief of the division's Federal Coordination and Compliance Section, said language assistance practices of the Judicial Council, the Administrative Office of the Courts and Los Angeles County Superior Court "appear to be inconsistent with" the Civil Rights Act.

A two-year investigation found the courts failed to provide enough free and qualified interpreters, particularly to non-Spanish speakers. The AOC has not been clear about when it will reimburse trial courts for interpreter services in some types of civil cases, the letter said.

The Judicial Council has also "consistently failed" to allocate all of the \$92.8 million the state supplies annually for interpreter services, according to the report. In one year the council took \$3 million from the interpreters' fund for general court operations. The remaining \$8.2 million in unspent money from the past four years still sits in the fund, according to the letter.

"The lack of free and certified or qualified language services in court proceedings disproportionately and negatively impacts national origin minorities, resulting in, among other things, greater costs, delays, and lack of full participation," Jang wrote.

The letter, dated May 22 but widely distributed around the Capitol on Wednesday by state judiciary leaders, was written in response to a complaint filed in December 2010 by the Legal Aid Foundation of Los Angeles on behalf of two Korean-speaking litigants who struggled to obtain child support and a restraining order in L.A. Superior Court because of language difficulties.

"We are hopeful that this will lead to some positive changes in the courts," said Joann Lee, directing attorney for the Legal Aid Foundation's Asian & Pacific Islander Community Outreach Unit.

"We have a lot of clients who are unable to access courts because of language barriers," Lee said.

The letter recommends that the AOC make clear to courts that it will reimburse interpreters' costs in certain civil cases. The Judicial Council should also try to expand language services across the state and not just focus "piecemeal" on a single area like family law matters, Jang wrote.

The letter did not threaten immediate sanctions, although it did note that if a "voluntary resolution" failed to materialize, enforcement efforts could escalate to civil litigation or loss of federal funding.

"I think the rest of the tone of the letter is a very different message, and we think that's consistent with all the discussions we've had with the Department of Justice," said Curtis Child, the AOC's chief operating officer.

"We've been working very collaboratively."

State lawmakers are now considering a budget-related bill that would use \$6 million left over in the interpreters' fund to pay for a pilot project to expand "in person" language assistance in three as-yet-unnamed courts. The AOC has been pushing for greater use of interpreter services by remote video links, a proposal that organized labor has fought. Jang's letter, while acknowledging unions' concerns, said that remote video services may increase the availability of language help.

Contact the reporter at [cmiller@alm.com](mailto:cmiller@alm.com).

## NEWS FROM ALL OVER

### New MPI Report Examines the Credential-Recognition Barriers Immigrant Professionals Often Face in the United States

WASHINGTON — Foreign-trained professionals in the United States often encounter significant obstacles on their path to professional practice, among them difficulties in demonstrating the value of their past work experience and qualifications. Many must be formally recertified in the United States before they can legally practice their profession.

Because of the United States' decentralized federal system, no single structure governs professional certification in regulated occupations — resulting in a profusion of overlapping and sometimes contradictory national, state and local rules and exams that are often costly, complicated and time-consuming for immigrant professionals to navigate.

A new Migration Policy Institute report, *[Credential Recognition in the United States for Foreign Professionals](#)*, examines the U.S. credential recognition process, particularly with regards to recertification in the medical and engineering sectors, and offers some recommendations for improvements. The report is the first published as part of a European Union-funded research project investigating how governments can improve the recognition of foreign qualifications through domestic public policies and international cooperation. Additional reports in the series will focus on international labor mobility and qualifications recognition within the engineering profession and on new trends in government and private-sector responses to credential-recognition problems.

Credential recognition is currently on the EU agenda, with a process underway to reform the professional qualifications directive that regulates the recognition of credentials in regulated occupations. A revised version of the directive, expected to be finalized later this year, is being designed with an eye to further reducing barriers to intra-EU mobility in these occupations.

This policy area is under review in a number of other countries as well, with governments from Australia and Canada to Germany and Norway increasingly recognizing the need to address the underemployment for foreign professionals that results from inadequate credential recognition.

In the United States, no significant efforts are underway at the federal level to reduce barriers to the transfer of skills and experience brought by internationally trained professionals; however, a handful of states, including New York, Illinois, Maryland, Massachusetts and Pennsylvania, are taking steps to improve credential-recognition processes for certain internationally trained professionals.

The Migration Policy Institute estimates that more than 1.6 million college-educated immigrants in the United States were underemployed or unemployed as of 2011. “On both sides of the Atlantic, evidence abounds that immigrants are often prevented from putting their skills to productive use because their qualifications, experience and knowledge are not readily recognized in their destination country,” said Margie McHugh, co-director of MPI’s National Center on Immigrant Integration Policy. “The resulting waste of human capital represents a loss not just to these immigrants, but also to employers, host communities and our economy.”

The report notes that barriers to professional practice in the United States are particularly daunting in the medical profession, where more than 25 percent of practicing physicians are foreign trained.

“The medical sector must expand to accommodate an aging population and the entry of millions of new customers as a result of the Affordable Care Act. Now more than ever, it is foolish not to address expensive and unnecessary barriers that prevent qualified physicians and other health care professionals who were trained abroad from putting their education and skills to work here in the United States,” McHugh said.

Read the report at: [www.migrationpolicy.org/pubs/UScredentialrecognition.pdf](http://www.migrationpolicy.org/pubs/UScredentialrecognition.pdf).



**OLA QUARTERLY**

**OFFICIAL NEWSLETTER OF THE  
OFFICE OF LANGUAGE ACCESS  
STATE OF HAWAII**

**‘O KA ‘ŌLELO KE OLA - LANGUAGE IS LIFE**



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## NEWS FROM OLA

### Hawaii's Language Roadmap Initiative Launched

Hawaii's Language Roadmap Initiative was officially launched on September 16, 2013 at the University of Hawaii with Governor Neil Abercrombie as guest speaker. Representatives from state and county governments, business, schools, non-profits, and the community were present. OLA executive director Colmenares and Council chair Dominic Inocelda attended the event. The University of Hawaii is the lead agency for this initiative.

The goal of the initiative is to "implement a road map for change—in education, in business, in state and county governments, and in the community—to help build the future multilingual workforce of Hawaii."

One of the initiative's major components is the improvement of interpreter and translator training and certification, and will directly involve the OLA. It says: "This initiative calls for support of the State Office of Language Access through increased awareness of its mandate and services; the development of a state-wide certification system for interpreters that differentiates between certification for medical, legal, or community interpreting, and increased opportunities for training and certification of interpreters, especially in underserved communities and high demand sectors. It also calls for legislative initiatives to fund improvements in institutional infrastructure (e.g. portable video units) in state offices, hospitals and health centers, schools, etc. to increase use of certified in-state interpreters; and for the expanded use of "cultural navigators" throughout service agencies (where a certified interpreter may not be available)."

## DATES TO REMEMBER

September 30 . . . **PAST DUE**—Deadline for submission of semi-annual LEP report covering the January to June 2013 period for all state agencies.

July 1 . . . . . **PAST DUE**—Deadline for submission of revised language access plans for state agencies receiving federal funds.

October 9 . . . . . Language Access Advisory Council Meeting, 9:30-11:00 a.m., DLIR Director's Conference Rm 320, 830 Punchbowl St. Honolulu, HI 96813

November 13. . . . . Language Access Advisory Council Meeting, 9:30-11:00 a.m., DLIR Director's Conference Rm 320, 830 Punchbowl St. Honolulu, HI 96813

November 27. . . . . State Language Access Coordinators Meeting, 10:00-12:00 noon, DLIR Director's Conference Rm 320, 830 Punchbowl St. Honolulu, HI 96813

December 11. . . . . Language Access Advisory Council Meeting, 9:30-11:00 a.m., DLIR Director's Conference Rm 320, 830 Punchbowl St. Honolulu, HI 96813

January 8, 2014. . . . . Language Access Advisory Council Meeting, 9:30-11:00 a.m., DLIR Director's Conference Rm 320, 830 Punchbowl St. Honolulu, HI 96813